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26 Attorneys for Defendants

27 UNITED STATES DISTRICT COURT
28 NORTHERN DISTRICT OF CALIFORNIA

20 LIONEL N. ALLEN; RALPH P. DAVIS;
21 MICHAEL OATEZ; MONICA OATEZ;
22 M.O., a minor, by and through her guardian
ad litem, MICHAEL OATEZ; MICHAEL
A. FLEURY; and, JOHNNY D. STOKES,

Action No. C-07-03509-PJH

23 Plaintiffs,
24 vs.
25 CITY OF SAN LEANDRO, a municipal corporation;
26 JOSEPH KITCHEN, in his capacity as Chief of Police
27 for CITY OF SAN LEANDRO; and, DOES 1-25,
inclusive, individually, and in their capacity as
San Leandro police officers,

28 Defendants. /

STIPULATION AND PROPOSED ORDER
FOR CONTINUATION OF CASE
MANAGEMENT CONFERENCE

STIPULATION

All parties to this action stipulate and agree, by and through their respective counsel, as follows:

1. Plaintiff's counsel, Ms. Libet, was very ill, including hospitalization, and has just become well enough to prepare the First Amended Complaint. Hence, plaintiffs are just now filing a First Amended Complaint in this action. Thus, defendants will not be filing a responsive pleading to the original Complaint, but will file a responsive pleading to plaintiffs' First Amended Complaint;

2. The parties have previously filed a Stipulation and Proposed Order Allowing Plaintiffs to File a First Amended Complaint;

3. Since no responsive pleading has been filed by defendants, and the case has not progressed further, a Case Management Conference at this time would not be useful to the parties and would waste the Court's time; and,

4. Therefore, the parties request that this Court continue the Case Management Conference presently scheduled for February 14, 2008 at 2:30 p.m. and the Case Management Conference Statement, presently due on February 7, 2008, for approximately one and a half months.

LAW OFFICES OF GAYLA B. LIBET

Dated: 1-24-08

By:

Hans B. Liles

GAYLA B. LIBET, Esq.
Attorneys for Plaintiffs

Dated: 1-24-08

By:

LAW OFFICES OF JOHN L. BURRIS

~~JOHN L. BURRIS, Esq.~~
Attorneys for Plaintiffs

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Dated:

1/24/08

By:

MAYERS, NAVE, RIBACK, SILVER & WILSON

TRICIA L. HYNES, Esq.
Attorneys for Defendants**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated:

1/28/08

CASE MANAGEMENT CONFERENCE
CONTINUED TO 3/27/08 AT 2:30 P.M.
A JOINT CASE MANAGEMENT
CONFERENCE STATEMENT SHALL
BE FILED BY 3/20/08.

